

ASSEMBLY BILL

No. 1071

**Introduced by Committee on Agriculture (Matthews (Chair),
Maldonado (Vice Chair), Berg, Cogdill, Maddox, Maze,
Oropeza, Parra, Reyes, Salinas, Vargas, and Wiggins)**

February 20, 2003

An act to amend, repeal, and add Section 15061 of the Food and Agricultural Code, relating to commercial feed, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1071, as introduced, Committee on Agriculture. Commercial feed: inspection tonnage tax.

Existing law establishes an inspection tonnage tax for commercial feed, as specified, with a maximum rate of 15 cents per ton. The funds collected are deposited into the continuously appropriated Food and Agriculture Fund.

This bill would, in addition, and until January 1, 2010, authorize the Secretary of Food and Agriculture to designate a specified amount of the tonnage taxes collected to provide funding for research and education regarding the safe manufacture, distribution, and use of commercial feed.

By expanding the purposes for which funds in a continuously appropriated fund may be spent, this bill would make an appropriation.

Vote: majority. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 15061 of the Food and Agricultural Code is amended to read:

15061. (a) An inspection tonnage tax at the maximum rate of fifteen cents (\$0.15) per ton of commercial feed sold, except whole grains, and whole hays when unmixed, shall be paid to the secretary by any person who distributes commercial feed to a consumer-buyer in this state. The distributor shall also pay an inspection tonnage tax for purchased commercial feed fed to his or her own animals.

(b) The secretary may, based upon a finding and recommendation of the Feed Inspection Advisory Board, determine the specific rate necessary to provide the revenue needed to carry out the provisions of this chapter. The secretary and the Feed Inspection Advisory Board shall not exceed the maximum tonnage rate established by this section. Setting the tonnage tax rate shall not be subject to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

(c) *The secretary may, based upon a finding and recommendation of the Feed Inspection Advisory Board, designate 15 percent of the tonnage taxes collected, or two hundred thousand dollars (\$200,000), whichever amount is greater, to provide funding for research and education regarding the safe manufacture, distribution, and use of commercial feed.*

(d) *This section shall remain in effect only until January 1, 2010, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2010, deletes or extends that date.*

SEC. 2. Section 15061 is added to the Food and Agricultural Code, to read:

15061. (a) An inspection tonnage tax at the maximum rate of fifteen cents (\$0.15) per ton of commercial feed sold, except whole grains, and whole hays when unmixed, shall be paid to the secretary by any person who distributes commercial feed to a consumer-buyer in this state. The distributor shall also pay an inspection tonnage tax for purchased commercial feed fed to his or her own animals.

(b) The secretary may, based upon a finding and recommendation of the Feed Inspection Advisory Board,

- 1 determine the specific rate necessary to provide the revenue
2 needed to carry out the provisions of this chapter. The secretary
3 and the Feed Inspection Advisory Board shall not exceed the
4 maximum tonnage rate established by this section. Setting the
5 tonnage tax rate shall not be subject to Chapter 3.5 (commencing
6 with Section 11340) of Part 1 of Division 3 of Title 2 of the
7 Government Code.
8 (c) This section shall become operative on January 1, 2010.

